

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHARLES JOHNSON,

Plaintiff,

-v.-

CLEARVIEW AI, INC.; HOAN TON-THAT;  
and RICHARD SCHWARTZ,

Defendants.

23 Civ. 2441 (KPF)

**ORDER TO SHOW CAUSE**

KATHERINE POLK FAILLA, District Judge:

The Court has reviewed Defendants Clearview AI, Hoan Ton-That, and Richard Schwartz's submission dated May 19, 2025, which addresses Plaintiff Charles Johnson's continued failure to comply with his discovery obligations under the Federal Rules of Civil Procedure. (Dkt. #92). The Court has given Plaintiff every opportunity to comply with those obligations, including by discussing, at in-person conferences at which Plaintiff himself was addressed by the Court, the manner in which he could comply with them. (See January 8, 2025 and April 2, 2025 Minute Entries).

Plaintiff willfully continues to fail to comply with discovery obligations, and worse yet, continues to make demonstrably false statements about his purported communications with federal government employees. Given the seriousness of Plaintiff's violations of his discovery obligations, the extended period of time over which these discussions have taken place, and the lack of effectiveness of prior efforts, including monetary sanctions, the Court agrees with Defendants that heightened sanctions may be applicable here.

Defendant is ORDERED to show cause in a written submission, on or before **June 12, 2025**, why his Answer should not be stricken and default judgment entered against him on the counterclaim in this case. The Court also intends to impose monetary sanctions for this period of noncompliance. Plaintiff may also address those sanctions in his written submission.

SO ORDERED.

Dated: May 23, 2025  
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

---

KATHERINE POLK FAILLA  
United States District Judge